

L. B.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

Debtor(s).

) Hearing Date: August 27, 2009
) Hearing Time: 3:30 pm

This matter having come on regularly for hearing on Debtors' Motion to Value Collateral, and "Strip Off" Second Trust Deed as against Debtors' residential real property; good cause appearing therefore,

ROBERTSON & BENEVENTO
1945 East Warm Springs Road
Las Vegas, Nevada 89119
Tel: (702) 433-2000 Fax: (702) 269-8139

1 IT IS HEREBY ORDERED that the security interest of America's Servicing
2 Company in the real property commonly known as 7415 Puritan Ave., Las Vegas,
3 NV 89123, legally described as:

4
5 Valle Grande Est 8 Unit 4, Plat Book 32, Page 96, Lot 9, Block 11
6 APN 177-10-111-028

7 shall be avoided under 11 U.S.C. Sec 506(d) and set aside and that the claim of
8 such creditor(s) in these bankruptcy proceedings shall be treated as unsecured.

9 IT IS FURTHER ORDERED that certain Deed of Trust recorded in the
10 Office of the Clark County Recorder as document number 20050503-04089 on
11 May 03, 2005 shall, conditioned upon Debtors completing the above-referenced
12 bankruptcy proceeding and obtaining a Chapter 13 discharge, be removed and
13 expunged from the county records and shall thereafter no longer constitute a lien
14 or encumbrance upon the aforesaid real property.
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16 IT IS FURTHER ORDERED that this Order shall not be recorded with the
17 Office of County Recorder until such time as the Debtors have received their
18 Chapter 13 Discharge in this matter.
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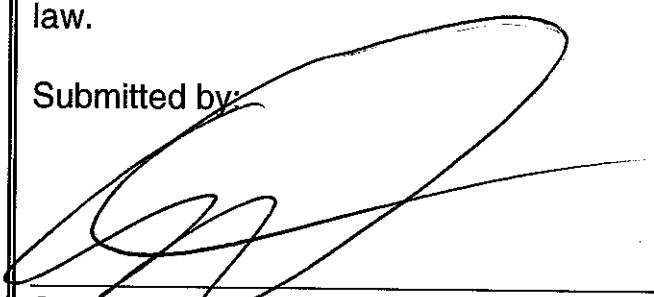
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1 IT IS FURTHER ORDERED that in the event the aforesaid property should
2 be sold at a foreclosure trustee sale, the lawful beneficiary of the aforesaid Deed
3 of Trust shall be entitled to receive any surplus proceeds in accordance with state
4 law.
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6 Submitted by:

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9 Sam Benevento
10 Attorney for Debtor

11
12 Approved as to form and content
13

14 No Response

15 Kathleen A. Leavitt
16 Chapter 13 Trustee

17 In accordance with LR 9021, counsel submitting this document certifies as follows:
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19 ☐ The court has waived the requirement of approval under LR 9021.

20 ☐ No parties appeared or filed written objections, and there is no trustee
21 appointed in the case.

22 ☒ I have delivered a copy of this proposed order to all counsel who appeared
23 at the hearing, any unrepresented parties who appeared at the hearing, and
24 any trustee appointed in this case, and each has approved or disapproved
25 the order, or failed to respond, as indicated below:

26
27 Trustee
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